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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ANTHONY SWETALA, individually and on
behalf of all others similarly situated and the
general public,

Plaintiff,

v.

QUTEN RESEARCH INSTITUTE, LLC,

Defendant.

Case No. 1:24-cv-00620-BAM

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO EXTEND TIME TO
ANSWER, MOVE, OR OTHERWISE
RESPOND TO THE COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 6 and Local Rule 144, Plaintiff Anthony Swetala (“Plaintiff”) and Defendant Quten Research Institute, LLC (“Quten”), by and through their respective counsel, hereby stipulate and agree to the following:

WHEREAS, Plaintiff filed the Class Action Complaint (“Complaint”) on May 25, 2024, *see* ECF No. 1, served the Complaint on Defendant on May 29, 2024, and to avoid any dispute over service, counsel for Quten agreed to accept service of the Complaint on behalf of Quten on June 14, 2024;

WHEREAS, under Federal Rule of Civil Procedure 12(a)(1)(A)(i), Defendant is presently required to respond to the Complaint on June 20, 2024;

WHEREAS, counsel for Quten has recently been retained and requires additional time to prepare a response to the Complaint;

WHEREAS, counsel for Quten contacted counsel for the plaintiff on June 14, June 17, and June 18, 2024 to request an additional 43 days until August 2, 2024 to answer, move, or otherwise respond to the Complaint (from June 20, 2024);

WHEREAS, counsel for Plaintiff agreed to a 35-day extension for Defendant to answer, move, or otherwise respond to the Complaint until July 25, 2024;

WHEREAS, subject to the Court’s approval, the parties also agreed to a proposed briefing schedule, as follows, on Quten’s anticipated motion in response to the Complaint:

Quten’s Motion: July 25, 2024

Plaintiff’s Opposition: August 22, 2024

Quten’s Reply Brief: September 19, 2024;

WHEREAS, this is the first request for any extension of time in this action, and the request is made in good faith and not for delay or any other improper purpose;

WHEREAS, Quten’s requested extension of time to respond to the Complaint exceeds twenty-eight days and therefore approval from the Court is required pursuant to Local Rule 144(a);

WHEREAS, the parties’ proposed briefing schedule and extension of Quten’s responsive pleading deadline will not affect any other dates previously set by the Court;

ORDER

Pursuant to the parties' stipulation, and cause appearing, Quten shall have an extension of time to answer, move, or otherwise respond to the Complaint. The following briefing schedule shall apply to Quten's anticipated motion in response to the Complaint:

Quten's Motion:	July 25, 2024
Plaintiff's Opposition:	August 22, 2024
Quten's Reply Brief:	September 19, 2024

IT IS SO ORDERED.

Dated: **June 20, 2024**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE